

REMARKS

In response to the above-identified Office Action, Applicant amends the application and seeks reconsideration thereof. In this response, Applicant amends claims 1, 4 and 5. Applicant adds new claims 11-14 and cancels claims 2, 3, and 6-10 without prejudice or disclaimer of the subject matter herein. Accordingly, claims 1, 4, 5, and 11-14 are pending.

I. In the Specification

Applicant has corrected the informality identified by the Examiner by replacing the text “bf e” with “be” at page 2, line 23 of the specification. Approval of this amendment is respectfully requested.

II. Claims Rejected Under 35 U.S.C. § 103

Claims 1, 4, and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,739,774 issued to Olandesi (“Olandesi”) in view of U.S. Patent No. 6,006,159 issued to Schmier et al. (“Schmier”). Applicant respectfully disagrees for the following reasons.

To establish a *prima facie* case of obviousness, the Examiner must show the cited references, combined, teach or suggest each of the elements of a claim. Claim 1 includes the element of “receiving the on-board device ID ... when the bus equipping the on-board device passes the roadside base station without stopping.” The roadside base stations of Claim 1 are “installed at side of roadway between the bus stops.” Thus, as explicitly recited in Claim 1, a bus does not stop when it exchanges information with one of the roadside base stations. In contrast, Olandesi teaches that stop units, characterized by the Examiner as the roadside base stations, are installed at each of the passenger drop-off and pickup stops (col. 6, lines 24-26). Thus, the bus taught by Olandesi must stop at the stop unit. Thus, Olandesi does not teach or suggest each of the elements of Claim 1.

Further, Schmier does not cure the defect of Olandesi. Schmier is silent on use of the roadside base stations between bus stops. Rather, Schmier teaches that the information of a vehicle is relayed by wireless radio signals in conjunction with telephone or other available communication

systems to a central processor (col. 3, lines 54-57). Thus, the information of a vehicle is sent directly from the vehicle to a central computer without going through a roadside base station. Thus, Olandesi in view of Schmier does not teach or suggest each of the elements of Claim 1.

Claim 1 further includes the element of “at the bus information server, computing a traffic speed of each section between the roadside base stations using the traffic information,” and “computing an average traffic speed of each section between the roadside base stations using the computed traffic speed of each section.” The average traffic speed is then used to compute the “time required for arriving at next bus stops.” Olandesi does not teach or suggest computing required time for arrival based on the average traffic speed. Olandesi merely mentions that “information that will typically exchanged over the coupling means 22” (i.e., the communication link between a stop unit and a computing means) includes “arrival time of vehicles at the respective passenger stations, schedule adjustment values for the vehicles, vehicle identification numbers, delays in the system” (col. 8, lines 30-36). Throughout the above cited portion and elsewhere in the text, Olandesi does not teach or suggest how the arrival time is computed. Thus, Olandesi fails to teach or suggest using the average traffic speed to compute the arrival time.

Schmier does not cure this defect of Olandesi, either. Schmier discloses that the central processor computes a transit data table that contains estimated times for arrival at all of the stops along a given vehicle’s route (col. 4, lines 21-38). The computation of the transit data is based on the vehicle’s location obtained by a global positioning system device in the vehicle, and stored information concerning the vehicle’s route (col. 3, lines 30-34 and col. 4, lines 5-10). Thus, Schmier also fails to teach or suggest computing the arrival time based on the average traffic speed. For this additional reason, Olandesi in view of Schmier does not teach or suggest each of the elements of Claim 1.

In regard to Claims 2, 4, and 5, these claims depend from independent Claim 1 and incorporate the limitations thereof. Thus, at least for the reasons mentioned in regard to Claim 1, Claim 2, 4, and 5 are not obvious over Olandesi in view of Schmier. Accordingly, reconsideration and withdrawal of the obviousness rejection of Claims 2, 4, and 5 are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely Claims 1, 4, 5, and 11-14 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/8, 2005


Eric S. Hyman, Reg. No. 30,139

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 8, 2005.


Lillian E. Rodriguez

4-8-05
April 8, 2005